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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE RIDDELL CONCUSSION
REDUCTION LITIGATION

Civil Action No. 13-7585(JBS)(JS)

**DECLARATION OF MICHAEL A. INNES
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
THE AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

MICHAEL A. INNES, declares as follows:

1. I am an attorney with the law firm of Kelley Drye & Warren LLP ("Kelley Drye") and counsel for Defendants Riddell, Inc., All American Sports Corporation, Riddell Sports Group, Inc., Easton-Bell Sports, Inc., Easton-Bell Sports, LLC, EB Sports Corp., and RBG Holdings Corp. (collectively, "Defendants") in the above-captioned action. I submit this declaration in support of Defendants' Motion to Dismiss the Amended Consolidated Class

Action Complaint, dated May 12, 2014 (the “Amended Complaint”). I make this declaration based upon my personal knowledge of the facts and circumstances set forth herein and my review of the relevant files in this litigation.

2. Attached hereto as **Exhibit A** is a true and accurate copy of an article published in The Journal of Neurosurgery, Vol. 58, No. 2, February 2006, entitled “Examining Concussion Rates and Return to Play in High School Football Players Wearing Newer Helmet Technology: A Three-Year Prospective Cohort Study.”

3. Attached hereto as **Exhibit B** is a true and correct copy of a letter from the Federal Trade Commission (“FTC”) to Riddell Sports Group, Inc., dated April 24, 2013, also available on FTC’s website at <http://www.ftc.gov/enforcement/cases-proceedings/closing-letters/riddell-sports-group-inc>.

4. Attached hereto as **Exhibit C** is a true and correct copy of a 2010 package insert for Riddell Revolution Speed Classic and Revolution Speed Classic Youth helmet, containing fitting instructions, warnings and warranties.

5. Attached hereto as **Exhibit D** is true and correct copy of Defendant’s Exhibit DR-14, containing reports entitled “Draft Football Helmet Performance Specification in Relation to MTBI,” Report No. R99-23 (Bates-stamped R 018890-018909), and “A New Performance Index for Mild Traumatic Brain Injury (MTBI),” Report No. R00-22 (Bates-stamped R 018829-018844), dated November 15, 2000.

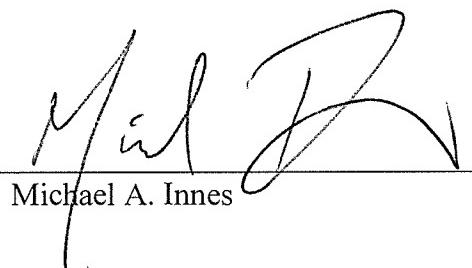
6. Attached hereto as **Exhibit E** is true and correct copy of a letter to the editor published in The Journal of Neurosurgery, Vol. 117, July 2012, concerning the publication entitled “Bartsch A, Benzel E, Miele V, Prakash V: Impact test comparisons of 20th and 21st century American football helmets. Laboratory investigation. J Neurosurg 116:222–233, 2012.”

7. Attached hereto as **Exhibit F** is true and correct copy of an editorial article published in The Journal of Neurosurgery, Vol. 119, September 2013, entitled "Leather football helmets."

8. Attached hereto as **Exhibit G** is a true and accurate copy of an article published in The Journal of Neurosurgery, Vol. 120, April 2014, entitled "Can helmet design reduce the risk of concussion in football?"

I declare under penalty of perjury that the foregoing statements are true and correct.

Dated: August 1, 2014



A handwritten signature in black ink, appearing to read "Michael A. Innes". The signature is fluid and cursive, with a horizontal line underneath it.